IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Rev 01.03

In re Application
Scancarella, et al.

Serial No. 10/066,005

Filed: April 26, 2001

For: METHOD FOR IMPROVING THE PROPERTIES OF TRANSFER RESISTANT LIP COMPOSITIONS AND RELATED COMPOSITIONS AND ARTICLES

Examiner: Gina C. Yu

Art Unit: 1611

Confirmation No.: 5183

DECLARATION OF ANJALI PATIL (37 C.F.R. §1.132)

1. I am a co-inventor of the above-mentioned patent application.

2. I have a Ph.D. in polymer chemistry, obtained from the Indian Institute of Technology in Bombay, India, in 1982. I have been employed by Revlon since 1992, conducting research and development in cosmetic products containing novel polymers. Prior to my experience at Revlon I worked for certain companies and universities in the development of new polymers and the study of polymeric structures.

3. Under my direction the lip color film-forming composition of this application and the lip color film-forming composition of Drechsler were tested for affinity with the non reactive wetting agent containing the liquid polymeric hydrocarbon having a number average molecular weight greater than 650 devoid of non-volatile silicone oils claimed in this application (non reactive wetting agent).

Drechsler lip color	**Applicant lip color**
isododecane	isododecane
trimethylsiloxysilicate	trimethylsiloxysilicate
Dimethicone (>1M cSt)	Dimethicone (600,000 cSt)
quaternium-18 hectorite	quaternium-18 hectorite
propylene carbonate	propylene carbonate
color	color

4. A 6 mL film of Applicant and Drechsler lip color composition were applied to Transpore tape from 3M on a Lanetta card and drawn down. The 3M tape allows for visualization of the skin. The films were allowed to dry at 40° C for 20 minutes. The non reactive wetting agent

composition containing the liquid polymeric hydrocarbon having a number average molecular weight greater than 650 devoid of non-volatile silicone oils was applied to both films. The attached photos were taken 10 minutes after the topcoat was applied.

5. The Applicant lip color with non reactive wetting agent displays an even beading pattern covering the entire film (Exhibit A).

6. The Drechsler lip color with non reactive wetting agent displays a pooling pattern pulled away from the edges of the film (Exhibit B).

7. Conclusion: The above test results demonstrate that the non reactive wetting agent reacts differently with the lip cosmetic composition depending on the molecular weight of the dimethicone in the basecoat. When the > 650 molecular weight non reactive wetting agent is applied to Applicant lip color having dimethicone of $\leq$ 600,000 cSt there is an interaction with the internal and external surfaces and matrices of the film seeping into spaces and surfaces sufficient to wet the composition (Exhibit A). When the same non reactive wetting agent is applied to the Dreschler lip cosmetic composition having a dimethicone of $\geq$ 1M cSt, there is no interaction and the non reactive wetting agent pools on the surface of the composition (Exhibit B).

8. This declaration is made with the knowledge that willful false statements and the like are punishable by fine or imprisonment or both under 35 U.S.C. §1001, and may jeopardize the validity of the above identified patent application or patent issuing there from.

March 19, 2009

Date

Anjali Abhimanyu Patil

Anjali Abhimanyu Patil

Exhibit A

Exhibit A

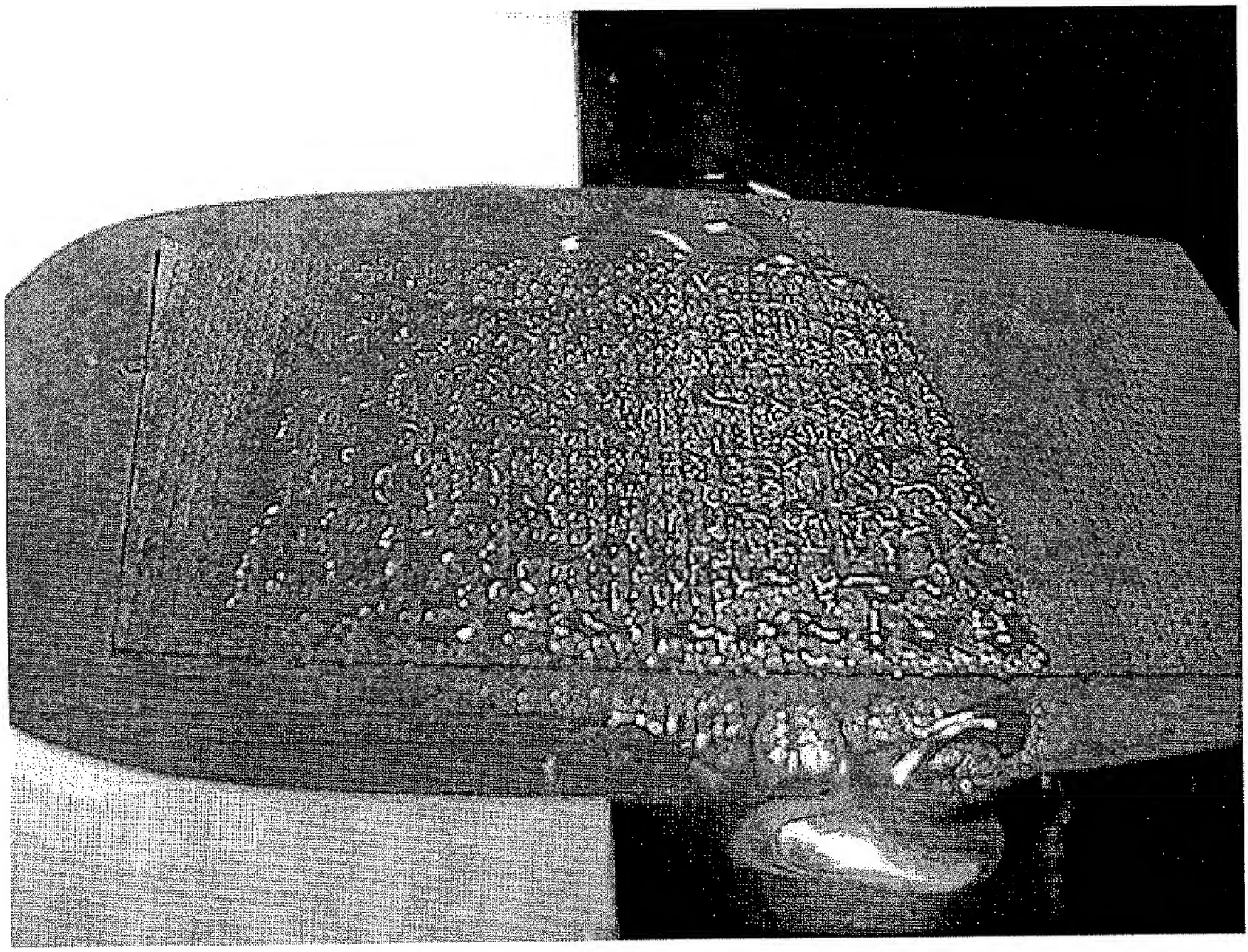

Exhibit B